

**BEFORE THE ARKANSAS STATE BOARD OF EDUCATION
AUGUST 13, 2015**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
IN RE KARA ASHLEY CALDWELL, PLSB CASE NO. 15-083**

At its regular meeting on August 13, 2015, the Arkansas State Board of Education (“Board”) accepted the recommendation of the Professional Licensure Standards Board Ethics Subcommittee (“Ethics Subcommittee”) for disciplinary action against the teaching license of Kara Ashley Caldwell (“Educator Caldwell”). Based upon Educator Caldwell’s consent to the Ethics Subcommittee’s recommendation and the evidence presented, in accordance with the Administrative Procedures Act, Ark. Code Ann. 25-15-101 et seq., the Board hereby states as follows:

I. Findings of Fact:

- a. The Arkansas Department of Education issued Educator Caldwell a standard five-year teaching license on January 1, 2012, valid until December 31, 2016.
- b. The Ethics Subcommittee received an allegation that Educator Caldwell violated the Arkansas Department of Education Rules Governing the Code of Ethics for Arkansas Educators (“Code of Ethics”) promulgated pursuant to Ark. Code Ann. §§ 6-17-422 and 6-17-428.
- c. The Ethics Subcommittee authorized an investigation into allegations that Educator Caldwell violated Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom.
- d. On January 14, 2015, Educator Caldwell was notified of the Ethics Subcommittee’s authorization to investigate this allegation.

- e. On May 1, 2015, after considering the investigator's report and evidence the Ethics Subcommittee unanimously found that reasonable belief existed to substantiate a violation of Standard 1 in that Educator Caldwell:

- Pulled a student who cannot be paddled up by his arm and swatted him.

The Ethics Subcommittee recommended that the Board issue a written reprimand to Educator Caldwell and assess a fine of \$50.00.

- f. On May 7, 2015, Educator Caldwell was notified of the Ethics Subcommittee's reasonable belief determination and recommendation by certified and regular mail.
- g. On May 20, 2015, Educator Caldwell accepted the Ethics Subcommittee's recommendation thereby waiving her right to any further notice or hearing or any other rights she might have under the Administrative Procedure Act including those rights set forth in Ark. Code Ann. §§ 25-15-211 and 25-15-212.
- h. At today's meeting, the Ethics Subcommittee's recommendation and supporting documentation were presented to the Board as part of its consent agenda.

II. Conclusions of Law:

- a. Upon consideration of the evidence presented at the meeting and pursuant to Ark. Code Ann. §§ 6-11-105, 6-17-401, 6-17-422, 6-17-428 and 25-15-201 et seq., and the Code of Ethics, the Board adopts the recommendations of the Ethics Subcommittee.
- b. Accordingly, the Board admonishes Educator Caldwell for her violation of the Code of Ethics, issues a written reprimand, and assesses a fine of \$50.00.
- c. Educator Caldwell is cautioned that further violations of the Code of Ethics or failure to pay the fine within ninety (90) days from the date of this order may result in more severe discipline including permanent revocation of her license.

- d. This order shall remain permanently in Educator Caldwell's professional licensure file and the confidential files of the Professional Licensure Standards Board.

IT IS SO ORDERED.



Toyce Newton, Chair
Arkansas State Board of Education